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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

THOMAS BARBOSA, DECEASED, by and through  
his Co-Successors in Interest, LUPITA BARBOSA,  
Individually, and as mother and Next Friend for K.B.  
and T.B., minors; ANGELICA MARTINEZ-VERA,  
individually; and KATHLEEN HOOD, individually,

Plaintiffs,

vs.

SHASTA COUNTY, a public entity; SHASTA  
COUNTY SHERIFF'S SERGEANT JOSE  
GONZALEZ, in his individual capacity; SHASTA  
COUNTY SHERIFF'S DEPUTY THOMAS  
FLEMING, in his individual capacity; and DOES 3  
through 20, individually, jointly and severally

Defendants.

Case No. 2:20-cv-02298-JAM-DMC

**PLAINTIFFS' *EX PARTE*  
APPLICATION FOR AN ORDER  
SHORTENING TIME RE: MOTION  
TO APPROVE MINORS'  
COMPROMISE, AND ORDER  
(ECF 91)**

1 Pursuant to Civil Local Rule 144(e), Plaintiffs hereby apply for an Order Shortening Time  
2 for briefing and resolving Plaintiffs' Motion to Approve Minors' Compromise (the "Motion"), such  
3 that the Motion may be decided without a hearing and briefing shall be expedited. Defendants  
4 failed to respond to Plaintiffs' repeated requests to submit the Motion unopposed, but they do not  
5 oppose this *ex parte* Application. This Application is based upon the matters set forth herein and in  
6 the Declaration of Julia Sherwin filed concurrently with the Motion.  
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8 As set forth in the Motion and the Declaration of Julia Sherwin, the parties have reached an  
9 agreement to settle this matter, with structured settlement payments for the minors Plaintiffs T.B.  
10 and K.B. Plaintiffs request that this Court decide this matter on an expedited basis without a  
11 hearing, as the insurance companies for Plaintiff T.B.'s and K.B.'s structured settlement annuities  
12 have already provided firm amounts for their structured settlement payments, which must be funded  
13 no later than May 1, 2024. Time is of the essence in this matter to prevent any delay in funding the  
14 children's structured settlements. On February 27, 2024, counsel for Defendants, Kayleigh  
15 Andersen, confirmed that Defendants do not oppose this *ex parte* Application shortening time. (See  
16 Exhibit A - Declaration of Teresa Allen).  
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19 Plaintiffs hereby request that the Motion be briefed and decided on shortened time without a  
20 hearing and that Defendants shall have until March 5, 2024, to file any opposition, Plaintiffs shall  
21 have until March 8, 2024, to file a reply, and the Court shall order Defendants to timely complete  
22 the settlement so the children's structured settlements are funded by the May 1, 2024, deadline.  
23 Hearing the Motion on a regular briefing schedule will cause unjust delay and harm to Plaintiffs T.B  
24 and K.B. and will result in missing the funding deadline. Moreover, the shortened time requested  
25 by this Application will not interfere with any other proceeding in this matter and will make it  
26 possible for Plaintiffs T.B. and K.B to timely obtain the substantial benefits of the settlement  
27 agreement.  
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1 WHEREFORE, Plaintiffs respectfully request that the Court grant this Application in its  
2 entirety and enter an Order providing that:

- 3 1. The Motion shall be decided without a hearing;  
4 2. Any opposition to the Motion shall be filed by March 5, 2024; and  
5 3. Any reply shall be filed by March 8, 2024.  
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7  
8 Respectfully Submitted,

9 Dated: February 27, 2024

HADDAD & SHERWIN LLP

10  
11 /s/ Teresa Allen

12 TERESA ALLEN  
13 Attorneys for Plaintiffs  
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**ORDER**

Plaintiffs' *Ex Parte* Application for an Order Shortening Time Re: Motion to Approve Minors' Compromise, having come before the Court, the Court having considered the Motion and all papers filed therewith, and good cause appearing, IT IS HEREBY ORDERED that Plaintiffs' *Ex Parte* Application is **GRANTED**.

IT IS FURTHER ORDERED that:

1. The Motion shall be decided without a hearing;
2. Any opposition to the Motion shall be filed by **March 5, 2024**; and
3. Any reply shall be filed by **March 8, 2024**.

IT IS SO ORDERED.

Dated: February 28, 2024

/s/ John A. Mendez

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THE HONORABLE JOHN A. MENDEZ  
SENIOR UNITED STATES DISTRICT JUDGE